Remarks of

FCC Chairman Kevin J. Martin Wireless Communications Association International 14th Annual International Symposium and Business Expo San Jose, California November 6, 2008

Thank you, Fred (Campbell), for your kind introduction.

I am excited to be here at WCA's Annual Symposium. Fred has compiled an outstanding and impressive program, and it's a pleasure to have the opportunity to speak with you this morning.

WCA is a diverse organization, but your members share a common interest, and it is one that I share with you. Promoting wireless broadband has been at the front of my agenda.

Even in the last several days the Commission has taken significant steps to increase access to broadband spectrum, and put us on a path that will speed broadband deployment to all areas of the country, both urban and rural alike. Wireless broadband has a great potential for providing tremendous opportunities for the communications industry to bring innovative products to consumers.

While it is difficult to imagine where the wireless industry will be ten or even five years from now, it is important that as regulators we foster a flexible regulatory environment that continues to promote innovation.

We must prioritize policies that promote "next generation networks." Broadband is an increasingly important driver of economic and social growth.

It allow people to exchange ideas, information, news and other content at the click of a button, and allows businesses new ways to reach potential customers. Yet with capital necessary to expand networks potentially more difficult to obtain, regulators need to work closely with operators and others to create an environment that promotes investment and long term development.

Broadband is also increasingly mobile. People want access to all kinds of information – the Internet, news, e-mail, photos, music, and videos – at anytime and from any location.

The wireless sector in general has seen dramatic growth. Wireless subscribers grew from approximately 24 million subscribers in 1994 to more than 250 million by the end of 2007.

This is due in large part to our success in fostering entry and competition, and to a corresponding light regulatory touch. Wireless competition has been fierce and resulted in billions of dollars of infrastructure investment.

Today, wireless broadband access is less of a luxury and more of a necessity to consumers and businesses. You need only look to the explosion of smart phones, the success of the iPhone and Blackberry, and the legions of laptops clustered at WiFi hotspots in coffee shops and airports to recognize how the proliferation of wireless networks and technologies can be transformative.

And tomorrow, wireless networks will play an even bigger role in pushing the envelope beyond the traditional telecom sector to new broadband frontiers.

Wireless next generation networks will be faster, more ubiquitous, and more accessible than existing networks, providing increasingly vigorous competition to cable modem and DSL services.

As Chairman, I have strived to promote policies that accelerate the opportunities for wireless broadband, and encourage innovation, infrastructure deployment, and competition in the wireless broadband space.

Promoting Broadband through Access to Spectrum

For example, we have worked to increase access to spectrum. Access to spectrum remains vital as it is the raw material for wireless networks.

Over the last several years, the Commission has made an unprecedented amount of spectrum available through auction. Auctions including the AWS-1 auction and the 700 MHz auction earlier this year placed valuable spectrum in the marketplace that is ideal for broadband networks.

And we have been able to push the industry towards a more open model. With the 700 MHz auction in particular, the Commission used targeted regulation to promote the development of networks that are more open to devices and applications.

Requiring licensees of this spectrum to allow consumers to use the devices of their choice and download applications of their choice has helped push the broader industry to embrace more open networks.

In less than a year, many wireless providers have evolved from vocal opponents to vocal proponents of open networks. Today, Verizon Wireless has committed to open its entire network to devices and applications for consumers. T-Mobile has just introduced their Google phone running on the Android standard. Sprint has announced their Clearwire WiMAX network will be open as well. This interest now appears to be shared across the industry.

This more open approach provides a ripe field for wireless innovation and growth, including opportunities for equipment manufacturers, software developers, and others, which will foster innovation at the edges of the network.

Promoting Broadband through Market Transactions

We also tried to promote policies that allow spectrum licensees to make the most efficient use of their spectrum. Flexible use policies coupled with secondary market opportunities allows spectrum to be put to use quickly, speeding deployment of new services.

The Commission has continued to streamline its leasing rules, and extend its secondary market rules to other spectrum bands, including services such as BRS, which are suitable for wireless broadband deployments.

These flexible policies expand the scope of available wireless services and devices, leading to more efficient and dynamic use of important spectrum resources.

The continuing consumer demand for faster and better wireless Internet access has also encouraged innovative and non-traditional business alliances. With our action this week approving the Sprint-Clearwire transaction, consumers are beneficiaries of a new entrant into the wireless broadband market.

As Clearwire deploys its next generation WiMAX network it will enhance competition and solidify wireless as an additional broadband platform. Moreover, Clearwire's commitment to embrace more open networks, networks that are open to all applications and devices, will spur innovation and give greater choice and improved services to consumers

Promoting Broadband through Unlicensed Spectrum

We have also worked to promote broadband by greater use of unlicensed spectrum. Unlicensed spectrum provides yet another path to broadband innovation.

Earlier this week, the Commission approved rules to allow wireless devices in the television white spaces. The Commission's approval is a significant victory for consumers.

This spectrum between the existing television broadcast channels is incredibly valuable. As demonstrated by our 700 MHz auction earlier this year - we raised almost \$20 billion – this spectrum is very valuable in providing the next generation of broadband services. It can penetrate walls relatively easily, and carry data over great distances.

These technical characteristics make this spectrum incredibly valuable in trying to generate this next generation of broadband services that can be provided.

The Commission's action in the white spaces was advocated by a diverse coalition of consumer groups, technology leaders and Internet pioneers. It has the potential to improve wireless broadband connectivity and inspire an ever-widening array of new Internet-based products and services for consumers.

Consumers across the country will have access to devices and services they may have only dreamed about before. We can expect everything from enhanced home broadband networks to intelligent peer-to-peer devices and even small communications networks.

I'm looking forward to what will develop in this area, and the uses and devices WCA's members will bring to this spectrum.

Continuing to Encourage Broadband Deployment

As we look to the next regulatory steps, we must continue to try to find ways to use spectrum efficiently and maximize its potential.

We aren't done, and there is much more we can do.

In the next few days, I hope to circulate an item that would establish the regulatory framework for the co-existence of licensees in the Satellite Digital Audio Radio Service (SDARS) and in the Wireless Communications Service in the 2305-2360 MHz band.

I believe we can modify the rules governing WCS to allow operations of mobile stations. While some have doubted whether WCS and SDARS can co-exist, I share with the Commission's Office of Engineering and Technology the conviction that an appropriate balance of interference protection can be made.

We can permit the introduction of new mobile terrestrial broadband services to the American public while ensuring the provision of satellite radio service throughout the United States

Conclusion

In closing, I am greatly encouraged by the exciting new opportunities for wireless broadband. I believe the market-based policies that the Commission has pursued will continue to provide options for growth and competition in the wireless industry. I thank you for having me here today.